

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

AKIVA AVIKAIDA ISRAEL,  
Plaintiff,  
v.  
GAVIN C. NEWSOME, et al.,  
Defendants.

No. 2:22-cv-00005 KJM DB P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 16, 2022, the magistrate judge filed findings and recommendations, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within 21 days. Plaintiff was then granted three extensions of time totaling more than 105 days to file objections to the findings and recommendations. (*See* ECF Nos. 12, 14, 16.) Plaintiff has not filed objections to the findings and recommendations.

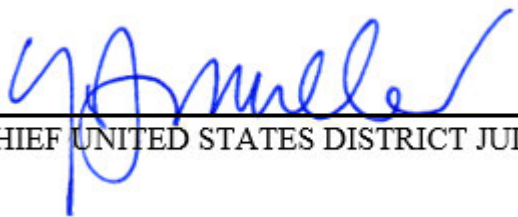
The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court

1 . . .”). Having reviewed the file, the court finds the findings and recommendations to be  
2 supported by the record and by the proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed August 16, 2022 (ECF No. 8), are adopted in  
5 full.  
6 2. Plaintiff’s motion for emergency injunctive relief (ECF No. 3) is DENIED.  
7 3. This case is referred back to the magistrate judge for further pretrial proceedings.

8 DATED: March 31, 2023.

9  
10   
11 CHIEF UNITED STATES DISTRICT JUDGE  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28